

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

KIMBERLY LYNN AUSTIN,

Plaintiff,

1:18-cv-00371-EAW

-v-

ANDREW SAUL<sup>1</sup>,  
COMMISSIONER OF SOCIAL SECURITY

Defendant.

---

**STIPULATION FOR ATTORNEY FEES**

**IT IS HEREBY STIPULATED** by and between Sergei Aden, Special Assistant United States Attorney, for James P. Kennedy, Jr., the United States Attorney for the Western District of New York, attorneys for the defendant herein, and Mary Ellen Gill, Esq., attorney for the Plaintiff, that the Commissioner of Social Security pay attorney fees to the Plaintiff in the amount of **\$7,380.81**, pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, in full satisfaction of any and all claims under the EAJA. The attorney fees may be paid to Plaintiff's counsel if Plaintiff agrees to assign the fees to counsel, and provided that Plaintiff owes no debt to the Federal Government that is subject to offset under the U.S. Treasury Offset Program.

---

<sup>1</sup> Andrew Saul is now the Commissioner of Social Security and is automatically substituted as a party pursuant to Fed. R. Civ. P. 25(d). See also section 205(g) of the Social Security Act, 42 USC 405(g) (action survives regardless of any change in the person occupying the office of Commissioner of Social Security).

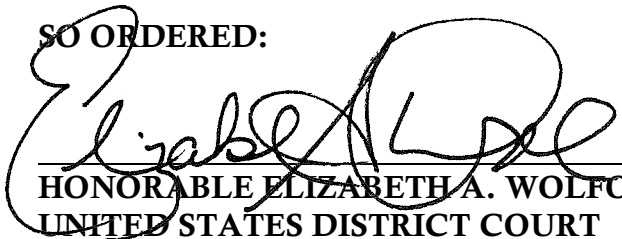
DATED: Buffalo, New York, March 23, 2020.

JAMES P. KENNEDY, JR.  
United States Attorney  
Western District of New York

BY: /s/ Sergei Aden  
Sergei Aden  
Social Security Administration  
Office of General Counsel  
26 Federal Plaza  
Room 3904  
New York, NY 10278  
212-264-3650  
Fax: 212-264-6372  
Email: sergei.aden@ssa.gov

BY: /s/ Mary Ellen Gill  
Mary Ellen Gill, Esq.  
Law Offices of Kenneth Hiller  
6000 North Bailey Avenue  
Suite 1A  
Amherst, NY 14226  
716-564-3288  
Fax: 716-332-1884  
Email: megill@kennethhiller.com

SO ORDERED:



HONORABLE ELIZABETH A. WOLFORD  
UNITED STATES DISTRICT COURT

DATED: March 24, 2020